



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 97,223-I)

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In the Application of:

Kapur and Giuliano

Serial No. 09/624,131

Filed: July 21, 2000

Title: Miniaturized Cell Array Methods and
Apparatus for Cell-Based Screening

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) Art Unit: 1641
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) Examiner: Cook, L.
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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents and Trademark
Box IDS
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

United States Patents

1. Whitesides et al, United States Patent No. 5,776,748, issued July 7, 1998.
2. Dunlay et al., United States Patent No. 5,989,835, issued November 23, 1999.
3. Taylor, United States Patent No. 6,103,479, issued August 15, 2000.

Foreign Documents

4. Taylor, WO 97/45730, published December 4, 1997.
5. Kieffer-Higgins et al, WO 98/28623, published July 2, 1998.
6. Dunlay et al, WO 98/38490, published September 3, 1998.
7. Thastrup et al., WO 98/45704, published October 15, 1998.
8. Gough et al, WO 00/17624, published March 30, 2000.
9. Kapur et al, WO 00/50872, published August 31, 2000.

Other Documents

10. Giuliano et al, (1998), *Trends in Biotech.*, 16:135-140.
11. Giuliano et al., (1987), *Anal. Biochem.*, 167:362-371.
12. Giuliano et al., (1990), *Optical Microscopy for Biology*, 543-557.
13. Giuliano et al., (1995), *Annu. Rev. of Biophysics and Biomolecular Structure*, 24:405-434.
14. Giuliano et al., (1995), *Curr. Op. Cell Biol.*, 7:4-12.
15. Giuliano et al., (1995), *Methods in Neuroscience*, 27:1-16.
16. Giuliano, (1996), *Cell Motil. Cytoskel.*, 35:237-253.
17. Takayama et al, (1999), *Proc. Natl. Acad. Sci.*, 96:5545-5548.
18. Taylor et al., (1992), *American Scientist*, 80:322-335.
19. Taylor et al., (1994), *Toxicologic Pathology*, 22:145-159.
20. Taylor et al., (1996), *Intl. Soc. for Optical Engineering*, 2678: 15-27.

Co-Pending Applications:

The Applicants hereby notify the Examiner of the following commonly owned, co-pending applications that relate to the U.S. Application Serial Nos.:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Attorney Docket No.</u>
09/401,212	09/22/99	97,223-B
09/721,085	11/22/00	97,223-B1
09/468,673	12/21/99	97,223-D

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Date: 3/22, 2001

Respectfully Submitted,

By: 

David Harper
Reg. No. 42,636
**McDonnell, Boehnen
Hulbert & Berghoff**
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In the Application of:)
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 Kapur and Giuliano) **Art Unit: 1641**
)
 Serial No. **09/624,131**) **Examiner: Cook, L.**
)
 Filed: **July 21, 2000**)
)
 Title: **Miniaturized Cell Array Methods and**)
 Apparatus for Cell-Based Screening)

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

In regard to the above identified application:

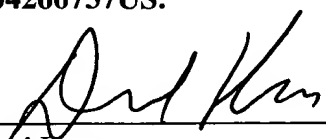
1. We are transmitting herewith the attached:
 - a. Information Disclosure Statement (IDS) (3 sheets);
 - b. Form PTO-1449 (3 sheets);
 - c. 20 Cited References; and
 - d. Return Receipt Postcard.

2. With respect to fees:

 X No fee is required.

3. Please charge any additional fees or credit overpayment to Deposit Account No. **13-2490**. A duplicate copy of this sheet is enclosed.

4. **CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described hereinabove, are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in a box addressed to: Commissioner for Patents, Washington, D.C. 20231 on March 22, 2002. Express Mail No. **EL904266737US**.

By: 
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